

Title 30-A: MUNICIPALITIES AND COUNTIES
Chapter 190: judicial review of significant municipal land use decision

Table of Contents

Part 2. MUNICIPALITIES	
Subpart 6-A. PLANNING AND LAND USE REGULATION	
Section 4481. DEFINITIONS.....	3
Section 4482. REVIEW OF SIGNIFICANT MUNICIPAL LAND USE DECISION.....	3
Section 4483. APPEAL OF SIGNIFICANT MUNICIPAL LAND USE DECISION TO LAW COURT.....	4

Maine Revised Statutes
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§4481. DEFINITIONS

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [2015, c. 459, §1 (NEW) .]

1. Significant municipal land use decision. "Significant municipal land use decision" means final action on an application for a land use development project that is either:

A. Submitted to the municipal reviewing authority, as defined by section 4301, subsection 12, under a municipal site plan ordinance or other municipal ordinance adopted under chapter 187, subchapter 3, or pursuant to authority under Title 38, section 488, subsection 19 or section 489-A, but only if the land use development project consists of:

- (1) One or more buildings that occupy a total ground area in excess of 10,000 square feet or contain a total floor area in excess of 40,000 square feet; or
- (2) A total ground area in excess of 3 acres occupied by buildings, parking lots, roads, paved areas, wharves and other areas to be stripped or graded and not revegetated; or [2015, c. 459, §1 (NEW) .]

B. Submitted as a project consisting of 10 or more lots subject to the municipal reviewing authority, as defined by section 4301, subsection 12, under an ordinance adopted under chapter 187, subchapter 4 or pursuant to authority under Title 38, section 488, subsection 19 or section 489-A. [2015, c. 459, §1 (NEW) .]

[2015, c. 459, §1 (NEW) .]

SECTION HISTORY

2015, c. 459, §1 (NEW) .

§4482. REVIEW OF SIGNIFICANT MUNICIPAL LAND USE DECISION

This section governs the process of filing complaints in Superior Court to challenge a significant municipal land use decision or the failure to make such a decision. [2015, c. 459, §1 (NEW) .]

1. Review of significant municipal land use decision. A complaint may be filed either in the general docket of the Superior Court for the county in which the municipality is located or directly in a docket designated by the Supreme Judicial Court for business matters. Any complaint filed in the general docket of the Superior Court for the county in which the municipality is located must be transferred upon request of any party to the proceeding to a docket designated by the Supreme Judicial Court for business matters.

[2015, c. 459, §1 (NEW) .]

2. Filing of record. The defendant municipality shall file a complete record for review, as described in the Maine Rules of Civil Procedure, Rule 80B, as agreed upon by the parties within 35 days of the commencement of the action, unless the court enlarges the time for cause. The plaintiff shall reimburse the municipality for the cost of producing the record.

[2015, c. 459, §1 (NEW) .]

SECTION HISTORY

2015, c. 459, §1 (NEW).

§4483. APPEAL OF SIGNIFICANT MUNICIPAL LAND USE DECISION TO LAW COURT

Any party to a review proceeding under this chapter may obtain review of a final judgment by appeal to the Supreme Judicial Court, sitting as the Law Court. The appeal must be taken as in other civil cases, except that upon the request of any party, and in the interests of justice, the Supreme Judicial Court may expedite the briefing schedule. [2015, c. 459, §1 (NEW) .]

SECTION HISTORY

2015, c. 459, §1 (NEW).

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